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(dated 3-5-03)

Federal Communications Commission
Marlene Dortch, Secretary
445 12th Street S.W. -- The Portals
Washington, DC 20554

RE: Reply To Oppositions To Petition For Reconsideration (Docket 99-325)

Dear FCC Commissioners and Staff:

We hereby submit this Reply to Oppositions filed in FCC Docket 99-325 by the National Association of Broadcasters (NAB) and iBiquity Corporation, respectively. The Oppositions were filed on February 19 and posted on the Electronic Comment Filing System on February 24. Both documents oppose a Petition For Reconsideration that was filed by The Amherst Alliance, and dozens of other parties, on October 25, 2002.

I am representing a commercial community radio station, WDVA 1250.

We are opposed to the NAB and iBiquity Inc. Oppositions to Petitions for Reconsideration on IBOC-DAB rollout by Amherst and the Virginia Center for Public Press. We urge the Commission to reject the two Oppositions and act favorably on the October 2002 Petition For Reconsideration.

Please note that we only conclude that the criticism of IBOC-DAB warrant further research and more rigorous testing.

In the 4 months since the October 2002 Petition For Rulemaking was filed, the evidence against "interim" IBOC Digital Radio broadcasting has mounted steadily. So has the number of visible, vocal opponents.

IBOC interference with other radio stations is no longer a theoretical concern, but rather a practical reality, affecting even 50,000 watt stations such as WOWO of Indiana. "Hissing noises" from IBOC interference have been monitored as far away as 1,000 miles from their sources. With such a spectacular range for interference, IBOC signals are presumably overriding other stations both outside *and inside* their protected contours.

Regarding proven incidents of IBOC interference, We urge the Commission to consider with special care the February 11 Reply Comments of Frederick Vobbe, a broadcast engineer in Ohio. We add, however, that other recent filings in FCC Docket 99-325 have also included reports, including firsthand reports, of IBOC interference with other radio stations.

We agree with the October 2002 Petition For Reconsideration that authorization of IBOC broadcasting, whether "interim" or otherwise, should not have been even considered until after the Commission had: (1) initiated and completed comprehensive testing and evaluation of competing Digital Radio technologies ... (2) completed action on relevant Petitions and

rulemakings, including pending proceedings on Electromagnetic Radiation, Electromagnetic Pulse shielding and "blanketing interference" ... and (3) completed action on a requested Environmental Impact Statement (EIS), or at the very least preparation of a formal but preliminary Environmental Assessment (EA).

Regarding the EIS Request in FCC Docket 99-325, which was made on July 18, 2002 by The Amherst Alliance and several other parties (including, locally, The Virginia Center for Public Press), the Commission briefly addressed this EIS Request in its October 11, 2002 Order approval "interim" IBOC transmissions. The Commission discounted the need for an IBOC EIS by asserting: (A) that shifts to IBOC Digital Radio will not require construction of new broadcast towers or the significant modification of existing broadcast towers; and (B) that there is, therefore, no reason to expect any environmental impact.

However, regarding the first point, the Commission has established no factual basis for its conclusion that no tower construction or modification will be required. Without conducting at least a formal but preliminary EA, or some comparable fact-finding process, the Commission is not in a position to either prove or disprove its prediction. Regarding the second point, tower construction and/or modification is not the only way that the environment can be affected. The July 18 EIS Request stresses, for example, that the shift to IBOC Digital Radio, as currently planned, would require disposing of -- and then manufacturing replacements for -- analog radios rendered prematurely obsolete. In his February 24 Reply Comments in this Docket, James Jason Wentworth of Alaska states that 520 million radios would have to be scrapped and then replaced.

Please prevent both an avoidable reduction in the number of choices on the radio dial *and* an unnecessary negative impact on our natural environment. Reject both Oppositions, and approve the October 2002 Petition For Reconsideration, as soon as possible.

Respectfully submitted,

Jim Grainger, Engineer, WDVA 1250.